



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Seiichi Hosoda, et al.

Examiner: Unassigned

Serial No: 09/727,877

Art Unit: Unassigned

Filed: December 1, 2000

Docket: 14108

For: BATTERY-POWERED LIGHT
SOURCE DEVICE FOR ENDOSCOPE

Dated: August 24, 2006

Conf. No.: 4039

Mail Stop Petitions (OIPE)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

SEP 05 2007

OFFICE OF PETITIONS

LETTER TO OFFICE OF PETITIONS

Dear Sir:

Applicant has received a Notice of Abandonment dated March 28, 2006 in the above-identified application for allegedly failing to reply to the Notice to File Missing Parts issued on January 16, 2001.

A complete reply to the Notice to File Missing Parts was timely sent, therefore, Applicants sent a petition to withdraw the holding of abandonment under 37 C.F.R. § 1.181(a) on May 1, 2006.

The undersigned has since been informed by Thu Nguyen on August 2, 2006 that the Petition was never received by the Patent Office.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions (OIPE), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: August 24, 2006


Thomas Spinelli

A Notice to File Missing Parts issued on January 16, 2001. A reply thereto was filed on February 22, 2001 with an English language specification, a certificate of translation and a check in the amount of \$130.00. A copy of the postcard receipt, Transmittal Letter and Response to the Notice to File Missing Parts were enclosed with the petition.

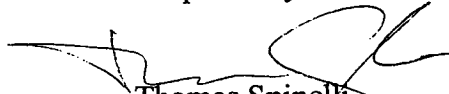
The petition was mailed on May 1, 2006 by first class mail to Mail Stop Petitions. A copy of the petition and enclosures thereto are enclosed herewith as well as a copy of the stamped postcard evidencing receipt of the Petition by the Patent Office on May 4, 2006.

Applicants would also like to note that Ms. Delora Dillard called the undersigned to request a copy of the response to the Notice to File Missing Parts in early March of 2006. Applicants sent a copy of the response to Ms. Dillard's attention along with copies of the postcard receipt and transmittal letters by Express Mail on March 15, 2006 (Express Mail No. EV774351272US). The U.S. Post Office has confirmed the same was delivered at 1:13 pm on March 16, 2006 in Alexandria, VA and signed for by K. Howard.

Thus, the present letter is the **FOURTH** time Applicant's have responded to the Notice to File Missing Parts at a considerable expense to the Applicants.

Applicants respectfully request that the enclosed Petition be entered into the record and granted and that the Notice of Abandonment be rescinded.

Respectfully submitted,


Thomas Spinelli
Registration No. 39,533

Scully, Scott, Murphy & Presser, P.C.
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08-31-07

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Examiner: Unassigned

Serial No: 09/727,877

Art Unit: Unassigned

Filed: December 1, 2000

Docket: 14108

For: BATTERY-POWERED LIGHT
SOURCE DEVICE FOR ENDOSCOPE

Dated: August 30, 2007

Conf. No.: 4039

Mr. Douglas Wood
Mail Stop Petitions (OIPE)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

SEP 05 2007

OFFICE OF PETITIONS

LETTER TO OFFICE OF PETITIONS

Dear Sir:

Pursuant to several telephone conversations had with Examiner Douglas Wood of the Petitions Branch regarding the above "lost" patent application, Applicants are submitting herewith copies of all correspondence relative thereto since the initial filing of the patent application.

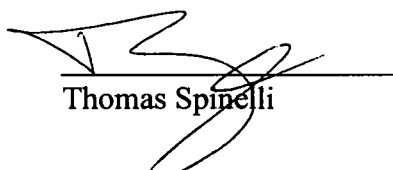
CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Mailing Label Number: EM103207894US

Date of Deposit: August 30, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mailstop Petitions, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

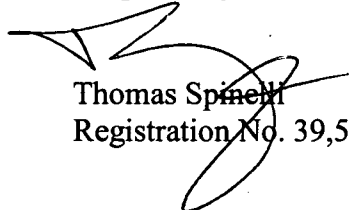
Dated: August 30, 2007


Thomas Spinelli

Applicants have had several telephone conversations with the Petitions Branch, Ms. Emily Hambrick of the Lost Files Division and Mr. Wood during the last several months in an effort to obtain the status of the Petition, which was filed on August 24, 2006, and it was determined that the file needed to be recreated by Applicant's attorneys.

Applicants respectfully request that the Petition be entered into the record and granted and that the Notice of Abandonment be rescinded, and that the application move forward to the Tech Center for an Office Action.

Respectfully submitted,



Thomas Spinelli
Registration No. 39,533

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